

Message Text

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ACTION ARA-14

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E.O. 11652: N/A
TAGS: SHUM, PGOV, HA
SUBJECT: NEWSPAPER INTERVIEW WITH JUSTICE MINISTER ON PRISON
CONDITIONS

1. IN AN EXCLUSIVE INTERVIEW PUBLISHED IN THE PRO-GOVERNMENT DAILY LE NOUVEAU MONDE ON DECEMBER 20, JUSTICE MINISTER MICHEL FIEVRE ATTEMPTED TO DISPEL "FANCIFUL" AND "SENSATIONAL" REPORTS BY THE FOREIGN PRESS ON CONDITIONS IN HAITIAN PRISONS. FIEVRE SAID HE WAS AUTHORIZED TO DECLARE CATEGORICALLY THAT FOREIGN ACCOUNTS OF MISTREATMENT OF PRISONERS IN HAITI ARE MADE ONLY WITH THE INTENTION OF DAMAGING THE GOOD REPUTATION OF A GOVERNMENT WHICH CONSTANTLY MONITORS THE SITUATION OF PRISONERS AND WORKS TO IMPROVE THEIR LOT. HIS MAIN POINTS, ABSTRACTED FROM THE OBSCURE SOCIAL PHILOSOPHY, LEGAL RHETORIC, AND POLITICAL PLATITUDES IN WHICH THEY WERE COUCHED, ARE AS FOLLOWS:

A. ACTS OF VIOLENCE AGAINST PRISONERS ARE STRICTLY PROHIBITED BY THE CONSTITUTION OF 1964 (AMENDED IN 1971) AND THIS PROHIBITION IS "RELIGIOUSLY" APPLIED THROUGHOUT THE REPUBLIC. ANY PERSON GUILTY OF ARBITRARILY VIOLATING THE LAW IN THIS REGARD IS LIABLE TO PROSECUTION, REGARDLESS OF HIS RANK OR AFFILIATIONS.

B. TORTURE IN PRISON IS NOT ONLY ABHORRENT TO HAITIAN FUNDA-
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MENTAL LAW BUT IS ALSO ZEALOUSLY COMBATTED BY ALL THE LEGAL MEANS AVAILABLE TO THE STATE.

C. THERE ARE NO SUMMARY EXECUTIONS IN HAITIAN PRISONS. ALL DEFENDANTS WHO HAVE BEEN SENTENCED TO DEATH THROUGH PROPER LEGAL PROCEDURES HAVE DENEFITED FROM A COMMUTATION OR PARDON BY THE PRESIDENT, AS EMPOWERED BY THE CONSTITUTION.

D. HAITIAN PRISONS ARE VISITED AT REGULAR INTERVALS BY GOVERNMENT COMMISSIONERS WHO INSPECT THEIR FOOD AND HEALTH CONDITIONS. MEDICAL CARE IS ASSURED TO ALL PRISONERS BY THE MEDICAL SERVICE OF THE ARMED FORCES. WORKSHOPS OPERATE IN DIFFERENT PRISONS TO ENABLE PRISONERS TO LEARN A TRADE OR TO PERFECT SKILLS ALREADY ACQUIRED. IN ADDITION, A MODERN PRISON INCLUDING ALL DESIRABLE COMFORTS IS UNDER CONSTRUCTION AT FORT DIMANCHE.

E. TO IMPROVE THE UNFAVORABLE IMAGE OF THE HAITIAN PENAL SYSTEM, THE DEPARTMENT OF JUSTICE ENVISAGES THE PUBLICATION OF A BULLETIN WHICH WILL REPORT ON ALL THE ACTIVITIES OF THE DEPARTMENT, FROM TOP TO BOTTOM, EACH TRIMESTER.

F. FURTHERMORE, FIEVRE ASSERTED, HE WOULD BE HAPPY PERSONALLY TO ACCOMPANY REPRESENTATIVES OF THE PRESS ON AN INSPECTION TOUR OF PRISONS, STARTING WITH THOSE IN THE CAPITAL BUT ALSO INCLUDING THOSE IN THE PROVINCES.

2. COMMENT: THE FACT THAT FIEVRE'S INTERVIEW WAS APPARENTLY DESIGNED TO REBUT AMNESTY INTERNATIONAL'S RECENT INDICTMENT OF HAITIAN PENAL PRACTICES--WHICH GAVE THE GOH CREDIT FOR RECENT AMNESTIES AND SOME IMPROVEMENTS IN JUDICIAL SAFEGUARDS--EXEMPLIFIES BOTH THE FOSSILIZED NATURE OF THE GOH AND ITS INABILITY TO COMPREHEND FOREIGN CRITICISM OF ITS SHORTCOMINGS IN ITS OBSERVANCE OF HUMAN RIGHTS.
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